



General Assembly

January Session, 2013

Amendment

LCO No. 6493

SB0087206493SR0

Offered by:
SEN. KANE, 32nd Dist.

To: Subst. Senate Bill No. 872

File No. 535

Cal. No. 393

"AN ACT CONCERNING THE USE OF INDOOR TANNING DEVICES BY PERSONS UNDER EIGHTEEN YEARS OF AGE."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 20-9 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2013*):

5 (a) No person shall, for compensation, gain or reward, received or
6 expected, diagnose, treat, operate for or prescribe for any injury,
7 deformity, ailment or disease, actual or imaginary, of another person,
8 nor practice surgery, until he has obtained such a license as provided
9 in section 20-10, and then only in the kind or branch of practice stated
10 in such license.

11 (b) The provisions of this chapter shall not apply to:

12 (1) Dentists while practicing dentistry only;

13 (2) Any person in the employ of the United States government while

14 acting in the scope of his employment;

15 (3) Any person who furnishes medical or surgical assistance in cases
16 of sudden emergency;

17 (4) Any person residing out of this state who is employed to come
18 into this state to render temporary assistance to or consult with any
19 physician or surgeon who has been licensed in conformity with the
20 provisions of this chapter;

21 (5) Any physician or surgeon residing out of this state who holds a
22 current license in good standing in another state and who is employed
23 to come into this state to treat, operate or prescribe for any injury,
24 deformity, ailment or disease from which the person who employed
25 such physician, or the person on behalf of whom such physician is
26 employed, is suffering at the time when such nonresident physician or
27 surgeon is so employed, provided such physician or surgeon may
28 practice in this state without a Connecticut license for a period not to
29 exceed thirty consecutive days;

30 (6) Any person rendering service as (A) an advanced practice
31 registered nurse if such service is rendered in collaboration with a
32 licensed physician, or (B) an advanced practice registered nurse
33 maintaining classification from the American Association of Nurse
34 Anesthetists if such service is under the direction of a licensed
35 physician;

36 (7) Any nurse-midwife practicing nurse-midwifery in accordance
37 with the provisions of chapter 377;

38 (8) Any podiatrist licensed in accordance with the provisions of
39 chapter 375;

40 (9) Any Christian Science practitioner who does not use or prescribe
41 in his practice any drugs, poisons, medicines, chemicals, nostrums or
42 surgery;

43 (10) Any person licensed to practice any of the healing arts named

44 in section 20-1, who does not use or prescribe in his practice any drugs,
45 medicines, poisons, chemicals, nostrums or surgery;

46 (11) Any graduate of any school or institution giving instruction in
47 the healing arts who has been issued a permit in accordance with
48 subsection (a) of section 20-11a and who is serving as an intern,
49 resident or medical officer candidate in a hospital;

50 (12) Any student participating in a clinical clerkship program who
51 has the qualifications specified in subsection (b) of section 20-11a;

52 (13) Any person, otherwise qualified to practice medicine in this
53 state except that he is a graduate of a medical school located outside of
54 the United States or the Dominion of Canada which school is
55 recognized by the American Medical Association or the World Health
56 Organization, to whom the Connecticut Medical Examining Board,
57 subject to such regulations as the Commissioner of Public Health, with
58 advice and assistance from the board, prescribes, has issued a permit
59 to serve as an intern or resident in a hospital in this state for the
60 purpose of extending his education;

61 (14) Any person rendering service as a physician assistant licensed
62 pursuant to section 20-12b, a registered nurse, a licensed practical
63 nurse or a paramedic, as defined in subdivision (15) of section 19a-175,
64 acting within the scope of regulations adopted pursuant to section 19a-
65 179, if such service is rendered under the supervision, control and
66 responsibility of a licensed physician;

67 (15) Any student enrolled in an accredited physician assistant
68 program or paramedic program approved in accordance with
69 regulations adopted pursuant to section 19a-179, who is performing
70 such work as is incidental to his course of study;

71 (16) Any person who, on June 1, 1993, has worked continuously in
72 this state since 1979 performing diagnostic radiology services and who,
73 as of October 31, 1997, continued to render such services under the
74 supervision, control and responsibility of a licensed physician solely

- 75 within the setting where such person was employed on June 1, 1993;
- 76 (17) Any person practicing athletic training, as defined in section 20-
77 65f;
- 78 (18) When deemed by the Connecticut Medical Examining Board to
79 be in the public's interest, based on such considerations as academic
80 attainments, specialty board certification and years of experience, to a
81 foreign physician or surgeon whose professional activities shall be
82 confined within the confines of a recognized medical school;
- 83 (19) Any technician engaging in tattooing in accordance with the
84 provisions of section 19a-92a and any regulations adopted thereunder;
- 85 (20) Any person practicing perfusion, as defined in section 20-162aa;
86 or
- 87 (21) Any foreign physician or surgeon (A) participating in
88 supervised clinical training under the direct supervision and control of
89 a physician or surgeon licensed in accordance with the provisions of
90 this chapter, and (B) whose professional activities are confined to a
91 licensed hospital that has a residency program accredited by the
92 Accreditation Council for Graduate Medical Education or that is a
93 primary affiliated teaching hospital of a medical school accredited by
94 the Liaison Committee on Medical Education. Such hospital shall
95 verify that the foreign physician or surgeon holds a current valid
96 license in another country.
- 97 (c) This section shall not authorize anyone to practice optometry, as
98 defined in chapter 380, or to practice dentistry, as defined in chapter
99 379, or dental hygiene, as defined in chapter 379a.
- 100 (d) The provisions of subsection (a) of this section shall apply to any
101 individual whose practice of medicine includes any ongoing, regular
102 or contractual arrangement whereby, regardless of residency in this or
103 any other state, he provides, through electronic communications or
104 interstate commerce, diagnostic or treatment services, including

105 primary diagnosis of pathology specimens, slides or images, to any
106 person located in this state. In the case of electronic transmissions of
107 radiographic images, licensure shall be required for an out-of-state
108 physician who provides, through an ongoing, regular or contractual
109 arrangement, official written reports of diagnostic evaluations of such
110 images to physicians or patients in this state. The provisions of
111 subsection (a) of this section shall not apply to a nonresident physician
112 who, while located outside this state, consults (A) on an irregular basis
113 with a physician licensed by section 20-10 who is located in this state
114 or (B) with a medical school within this state for educational or
115 medical training purposes. Notwithstanding the provisions of this
116 subsection, the provisions of subsection (a) of this section shall not
117 apply to any individual who regularly provides the types of services
118 described in this subsection pursuant to any agreement or
119 arrangement with a short-term acute care general hospital, licensed by
120 the Department of Public Health, provided such agreement or
121 arrangement was entered into prior to February 1, 1996, and is in effect
122 as of October 1, 1996.

123 (e) On and after October 1, 1999, any person licensed as an
124 osteopathic physician or osteopath pursuant to chapter 371 shall be
125 deemed licensed as a physician and surgeon pursuant to this chapter.

126 (f) Notwithstanding the provisions of this section, no person shall
127 perform cosmetic surgery on a person under eighteen years of age. For
128 purposes of this section, "cosmetic surgery" means any surgical
129 procedure performed on a person that is directed at improving the
130 person's appearance and that does not meaningfully promote the
131 proper function of the body or prevent or treat illness or disease and
132 does not include any surgery performed on abnormal structures
133 caused by or related to congenital defects, developmental
134 abnormalities, trauma, infection, tumors or disease, including
135 procedures to improve function or give a more normal appearance."

This act shall take effect as follows and shall amend the following sections:		
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Sec. 501	<i>October 1, 2013</i>	20-9
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